

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )

Graham Francois Duirs )

Serial No.: 09/622,094 )

Filed: August 11, 2000 )

1616  
Group Art Unit: ~~Not Yet Assigned~~

Examiner: ~~Not Yet Assigned~~ DeWitty

National Stage of International Application No. PCT/NZ99/00016 under 35 U.S.C. 371, for **DRUG DELIVERY SYSTEM**

**Assistant Commissioner for Patents**  
**Washington, DC 20231**

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), applicant brings to the Examiner's attention the documents listed on attached Form PTO-1449 and cited in the international search report. Copies of the listed documents are attached. Applicant respectfully requests that the Examiner consider the documents listed on attached Form PTO-1449 and indicate that they were considered by making an appropriate notation on this form.

This Information Disclosure Statement is being filed within three months of the date of entry of the national stage in a PCT international application.

The following is listed on the accompanying PTO-1449 and is in a non-English language:

1. German Patent Application No. CH 688 984 A5

In lieu of a statement of relevance or the translation of the non-English document, enclosed is an English-language international search report from the Australian Patent Office in the PCT international application, from which this

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national phase U.S. application is derived, citing this document and setting forth the relevance thereof.

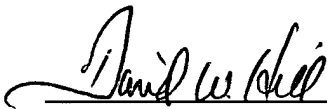
This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicants determine that the cited documents do not constitute "prior art" under United States law, applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

By:   
David W. Hill  
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Dated: October 17, 2000  
Enclosures  
DWH/FPD/sci

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